

NOV 03 2005

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DATE: November 3, 2005

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RE: Application No: 00/682,323

Applicant: Matthew J. Poduska

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Applicant: Matthew J. Poduska  
Filing Date: August 20, 2001  
Art Unit: 2111  
Examiner: K. Dang  
Attorney Docket No: 01P1511

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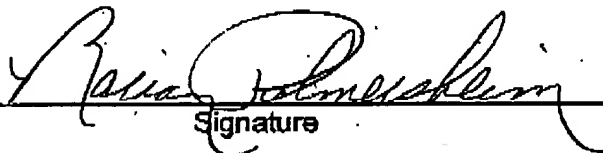
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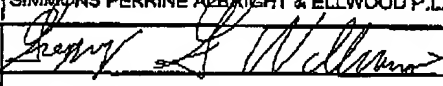
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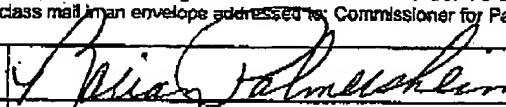
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	Filing Date	August 20, 2001	
	First Named Inventor	Matthew J. Poduska	
	Art Unit	2111	
	Examiner Name	K. Dang	
Total Number of Pages in This Submission	18	Attorney Docket Number	01P1611

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:  
Matthew J. Poduska

Serial No:09/682,323

NOV 03 2005

For: METHOD AND SYSTEM FOR  
PROVIDING INDEPENDENT  
SERVER FUNCTIONALITY IN A  
SINGLE PERSONAL COMPUTER

Filed: August 20, 2001

Group Art Unit:2111

Examiner: K. Dang


Attorney Docket: 01P1511

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APPLICANT'S REVISED BRIEF ON APPEAL TO THE BOARD

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND  
INTERFERENCES

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NOV 03 2005

In re Application of:

Matthew J. Poduska

Serial No: 09/682,323

Filed: August 20, 2001

For: METHOD AND SYSTEM FOR  
PROVIDING INDEPENDENT  
SERVER FUNCTIONALITY IN A  
SINGLE PERSONAL COMPUTER

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Group Art Unit: 2111

Examiner: K. Dang

Attorney Docket: 01P1511

SUBMITTED: November 3, 2005

Commissioner for Patents  
P. O. Box 1450  
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**APPLICANT'S REVISED BRIEF ON APPEAL TO THE BOARD**

This is an appeal from the final rejection of the Examiner dated September 19, 2005, rejecting all of the claims pending in the case. Per the instructions from Examiner Dang on 10-24-06, this Brief is not accompanied by any fee because the requisite fee set forth in §1.17(c) was paid at the time of submitting the original brief on January 10, 2005. This appeal was commenced with the filing of a Notice of Appeal on November 10, 2004, then an Applicant's Appeal Brief on January 10, 2005. After the Applicant's Appeal Brief was filed, the Examiner interjected a new ground of rejection via a new office

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action. The Applicant has successfully addressed this rejection via an amendment to the specification, and the Examiner subsequently issued a final action, restating the earlier grounds for rejection and removing the new ground of rejection. This Appeal Brief is identical to the originally filed Brief other than this introductory paragraph, and the references herein to the date of the newer final office action. The table of contents has changed as well to accommodate new page numbers.

**REAL PARTY IN INTEREST**

The real party in interest in this appeal is the assignee, Crystal Group Inc.

**RELATED APPEALS AND INTERFERENCES**

The application on appeal is not subject to, or an element in, any other appeal or interference proceeding within the U.S. Patent and Trademark Office.

**STATUS OF CLAIMS**

Claims 1-11 are pending, have been finally rejected, and are all on appeal.

**STATUS OF AMENDMENTS**

No amendments to the claims or the specification have been filed subsequent to the final rejection dated September 19, 2005.

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**SUMMARY OF THE CLAIMED SUBJECT MATTER**

Without limiting the claims on appeal, the independent claims of the application are summarized below:

Independent Claim 1: A computer system which comprises: a chassis and a shroud and a plurality of circuit card receiving slots, a plurality of circuit cards in the slots where each provides an independent dedicated server function AND, THESE CARDS ARE NOT DIRECTLY CONNECTED TO ANY INTER-CARD BUS. The last four lines of page 4 of the specification state as follows:

“The only electrical connections with first industry standard expansion card having an independent dedicated server function 124, and second industry standard expansion card having an independent dedicated server function 126, is a power provisioning connection via shared power supply 110 and power distribution line 112.”

Independent Claim 11: Claim 11 is a method claim for providing computing functions comprising:

Providing a single source of power to a plurality of slots,

Providing a plurality of cards dedicated to a single server function;

Providing a DEDICATED COMMUNICATION LINE FOR EACH CARD;

AND

PROHIBITING DIRECT COMMUNICATION FROM THE CARDS TO A  
BUS EXTENDING BETWEEN THE SLOTS;

Page 5 lines 1-6 state:



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“First industry standard expansion card having an independent dedicated server function 124 and second industry standard expansion card having an independent dedicated server function 126, communicate with the outside world and each other via dedicated external connections to first dedicated communication connector 134 and second dedicated communication connector 136 respectively.”

**GROUND OF REJECTIONS TO BE REVIEWED ON APPEAL**

Claims 1, 3, 4, 6, 7 and 11 have been finally rejected for anticipation under 35 U.S.C. §102(e) by the Asano reference.

Claims 2, 5, 8, 9 and 10 have been finally rejected under 35 U.S.C. §103(a) as being obvious in view of the Asano reference.

**ARGUMENT**

ANTICIPATION OF CLAIMS 1, 3, 4, 6, 7 under 35 U.S.C. §102(e) by the Asano reference.

The analysis of the Examiner's erred rejection begins with the claims as amended.

**CLAIM 1**

Claim 1, as presented on appeal, is easily distinguishable from the Asano reference. Claim 1 includes the following limitation:

“each of said plurality of planar shaped circuit cards being  
configured so as to be free from any direct communication

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connection with any inter-card bus inside said enclosure.”

(emphasis added)

Figure 1 of the Asano reference clearly shows that network interface processors 7(a) and 7(b) are coupled to the Host side PCI bus 1(b). There can be no doubt that this PCI bus is intended in Asano for more than just provisioning of power. In column 4, lines 50-60 of Asano, it states:

Note that the PCI buses are used in this embodiment, but the present invention is not necessarily limited to the use of PCI buses and other buses such as VME (Versa Module Europe) buses may be used instead. Also, the PCI bus of the host machine may be further connected with other devices such as network controller board and SCSI board. In addition, the Ethernet is used as a network in this embodiment, but similarly the other network such as those of ATM (Asynchronous Transfer Mode) and FDDI (Fiber Distributed Data Interface) may be used instead.

Since the network cards 7a and 7b of Asano are coupled through the PCI bus, the Examiner errs when saying Asano is FREE FROM any direction connection with an inter-card bus.

The anticipation rejection of claims 1, 3, 4, 6 and 7 should be overturned.

**ANTICIPATION REJECTION OF CLAIM 11 BASED UPON THE ASANO  
REFERENCE**

Claim 11 includes the following limitations:

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*“prohibiting* direct communication from said first industry standard expansion card to a bus extending between said plurality of industry standard expansion slots; and,

*prohibiting* direct communication from said second industry standard expansion card to a bus extending between said plurality of industry standard expansion slots. (emphasis added)

The Examiner gives short shrift to claim 11 before summarily rejecting it. The Examiner merely states on the bottom of page 3 of the office action dated 2/26/04:

“With regard to claim 11, it is clear that one practicing the device of Asano et al. (see discussion above) would have performed the same steps set forth in claim 11.”

The Examiner never even mentioned the limitations of claims.

If the Examiner had examined the limitations in Claim 11, the Examiner would have found the above limitations relating to PROHIBITTING DIRECT COMMUNICATION BETWEEN THE CARDS AND A BUS EXTENDING BETWEEN THE SLOTS.

There can be no dispute that the Asano reference teaches away from these limitations. Again, when Asano specifically calls the bus 1b as a PCI bus and when Asano discusses alternatives to the PCI bus, it states in the excerpt above from Column 4 that full communication is contemplated.

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Clearly when the alternatives to the PCI bus all provide full data transfer and network ability, there is no doubt that they are not PROHIBITING DIRECT COMMUNICATION...with a bus extending between the cards.

**THE OBVIOUSNESS REJECTION OF CLAIMS 2, 5, 8, 9 AND 10**

The Examiner rejected the remaining claims under 35 U.S.C. §103(a) as being unpatentable over the Asano reference alone. No other prior art was cited in support of these rejections.

The Applicant repeats the arguments above with respect to claims 1, 3, 4, 6 and 7 with respect to the claims rejected for obviousness. Since these claims all add additional limitations to claim 1, there need be no further discussion with respect to the lack of teaching in Asano with respect to claim 1. Additionally, since Asano teaches a need for a direct connection with an inter-card bus, and further teaches that the alternative to the PCI bus all have direct connections, then this clearly constitutes a teaching away from the claimed invention.

The obviousness rejections should all be overturned.

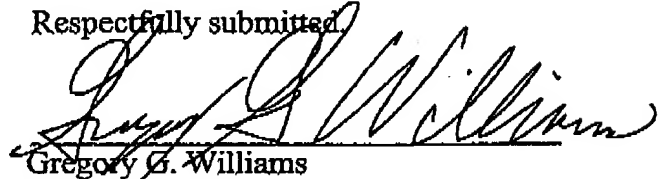
The Applicants respectfully request that the rejection of all the pending claims be reversed and that the application, as amended, be allowed.

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BEFORE THE BOARD OF PATENT APPEALS AND  
INTERFERENCES

November 3, 2005

Date

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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**CLAIMS APPENDIX**

Claim 1. A computer system comprising:

a chassis, having a plurality of slots thereon each configured for receiving one of a plurality of planar shaped circuit cards therein;

a shroud coupled to said chassis to form an enclosure about said plurality of planar shaped circuit cards;

said plurality of planar shaped circuit cards each configured for providing an independent dedicated server function; and,

each of said plurality of planar shaped circuit cards being configured so as to be free from any direct communication connection with any inter-card bus inside said enclosure.

Claim 2. A system of claim 1 wherein said plurality of planar shaped circuit cards comprises a first card providing an email server function; a second card providing a web server function; and a third card providing a file storage function.

Claim 3. A system of claim 1 wherein power is provided to said plurality of planar shaped circuit cards by a sole power supply.

Claim 4. A system of claim 1 wherein said plurality of slots comprises a plurality of industry standard slots, each of which is configured for mechanical and electrical cooperation with one of said plurality of planar shaped circuit cards via an industry standard expansion slot.

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Claim 5. A system of claim 4 wherein said plurality of industry standard slots are ISA slots.

Claim 6. A system of claim 4 wherein said plurality of industry standard slots are PCI slots.

Claim 7. A system of claim 4 wherein said industry standard expansion slot includes a plurality of traces, all of which, except for those traces dedicated to provision of power, are unused by said plurality of planar shaped circuit cards.

Claim 8. A system of claim 7 wherein said plurality of planar shaped circuit cards comprises a first card providing an email server function; a second card providing a web server function; and a third card providing a file storage function.

Claim 9. A system of claim 8 wherein power is provided to said plurality of planar shaped circuit cards by a sole power supply.

Claim 10. A system of claim 9 wherein said plurality of industry standard slots are PCI slots.

Claim 11. A method of providing computing functions comprising:  
providing a chassis having a power supply and a plurality of industry standard expansion slots;

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providing a first industry standard expansion card, which is dedicated to providing a first single server function;

providing a second industry standard expansion card, which is dedicated to providing a second single server function;

providing a single common source of power for said first industry standard expansion card and said second industry standard expansion card;

providing a dedicated communication line from said first industry standard expansion card to an external connector;

providing a dedicated communication line from said second industry standard expansion card to an external connector;

prohibiting direct communication from said first industry standard expansion card to a bus extending between said plurality of industry standard expansion slots; and,

prohibiting direct communication from said second industry standard expansion card to a bus extending between said plurality of industry standard expansion slots.



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**EVIDENCE APPENDIX**

There is no evidence associated with this appeal.

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**RELATED PROCEEDINGS APPENDIX**

There are no related proceedings associated with this appeal.